

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-CR-21 (PP)

vs.

SAMY MOHAMMED HAMZEH,

Defendant.

**NOTICE OF THE DEFENSE'S INTENT TO FILE
A RESPONSE TO THE GOVERNMENT'S CIPA FILINGS**

Samy Hamzeh, by counsel, hereby provides notice that the defense intends to file a brief concerning the discovery that will be at issue in the Court's CIPA hearing.

1. The defense previously moved for the production of various documents and reports under Rule 16, *Brady*, and its progeny. The Court granted that motion, and the government has complied, in part. Some matters are still being worked out among the attorneys and should be resolved next week without further court involvement.

2. In response to other matters covered in this Court's order, the government has requested a CIPA hearing. While the defense is not entitled to attend that hearing, it does wish to file a written response and also requests an opportunity for oral argument. It is important for the defense to explain why the material is necessary and helpful to the defense. Given the breadth and complexity of this case, defense counsel's greater familiarity with the evidence, and the importance of the information sought, the defense intends to file a memorandum addressing each piece of discovery and why it is both

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discoverable (this Court's order covered that) and helpful to the defense. The defense proposes filing a memorandum explaining the need for the discovery by September 24.

3. Contemporaneous with this notice, the defense is filing a third motion to compel. The parties have discussed the evidence at issue in the third motion to compel and the government has indicated it will file a CIPA notice as to that discovery as well. To conserve resources, the defense's memorandum concerning CIPA will address the discovery in the third motion to compel as well as those other matters the government has previously noticed it is proceeding under CIPA with.

Dated at Milwaukee, Wisconsin this 4th day of September, 2018.

Respectfully submitted,

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